

ENDONET.023CP3

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George M. Johnson, et al.

App. No. : 09/702,002

Filed : October 30, 2000

For : METHOD AND DEVICE FOR TREATING
GASTROESOPHAGEAL REFLUX DISEASE

Examiner : Unknown

I hereby certify that this correspondence
and all marked attachments are being
deposited with the United States Postal
Service as first-class mail in an envelope
addressed to: United States Patent and
Trademark Office, P.O. Box 2327,
Arlington, VA 22202, on

September 10, 2002

(Date)

James W. Hill, M.D., Reg. No. 46,396

STATUS LETTER

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

A Petition to Correct Inventorship, including all supporting documentation, was submitted to the U.S. Patent and Trademark Office on December 11, 2001 for the subject application. A complete copy of this transaction is attached for your convenience, including a copy of the recorded Assignment and PTO-stamped return post cards.

Please inform us as to the status of this petition.

Respectfully submitted,

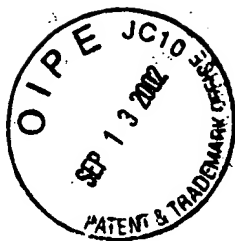
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/10/02

By: [Signature]

James W. Hill, M.D.
Registration No. 46,396
Attorney of Record
2040 Main Street
Fourteenth Floor
Irvine, CA 92614
(949) 760-0404

RECEIVED
SEP 17 2002
TECHNOLOGY CENTER R3700



COPY

UTILITY/DESIGN PATENT

(amend/final amend)

DATE: 12-11-01

DATE OF O.A.:

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty Dkt # Enclined, 02383 A/N: 09/102002

Filed: 10-30-00

Exr: Unknown

Atty: S2H

Art Unit: 3736

Applicant(s): G. Johnson et al

Title: Method & Device for Treating Gastroesophageal Reflux

VERIFIED BY: Asst: Danni G

Quality Control:

☐ Transmittal Sheet in dupl.

☐ Amendment in _____ pgs.

☐ _____ Mo. Ext. of Time in dupl.

☐ Small Entity Statement(s)

☐ Req. for Drawing Changes marked in RED

☐ Submission of Formal Drawings

_____ pgs of Drawings

Transmittal

☐ Information Disclosure Statement;

☐ _____ pgs of Formal Drawings

PTO-1449 w/ _____ refs.

☐ _____ Check for Amendment

☐ Issue Fee Transmittal in dupl.

☐ _____ Issue Fee Soft Copies

☒ Petition + correct Inventor ~~MARK OFF~~

☒ Written consent of Assignee - TPS

☒ Stmt. of P. Simpson - 1 pg

☒ \$13000 petition Fee

☒ Declaration Inventor + copy

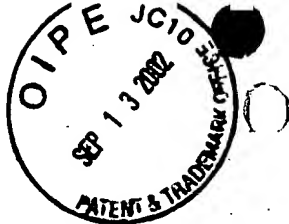
☒ Return Postcard & Assignment

7/96

RECEIVED

SEP 17 2002

TECHNOLOGY CENTER R3700



COPY

ENDONET.023CP3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George M. Johnson, et al.

Group Art Unit 3736

Appl. No. : 09/702,002

Filed : October 30, 2000

For : METHOD AND DEVICE FOR
TREATING GASTROESOPHAGEAL
REFLUX DISEASE

Examiner : Unknown

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a petition under 37 C.F.R. § 1.48(a) to correct inventorship in U.S. Patent Application No. 09/702,002, filed on October 30, 2000. The application, as filed, unintentionally omitted one inventor, Philip J. Simpson. The correct inventors in this application are George M. Johnson, John T. Kilcoyne, Ross Tsukashima, Matthew T. Yurek, Scott Harris, and Philip J. Simpson.

Thus, the following inventor should be ADDED to the patent application:

Name:	Philip J. Simpson
Residence:	3185 Pioneer Place, Escondido, CA 92025
Citizenship:	U.S.A.

Accompanying this petition are the following documents: 1) a statement of lack of deceptive intention on the part of Philip J. Simpson; 2) a declaration by the actual inventors as

RECEIVED

SEP 17 2002

TECHNOLOGY CENTER R3700

Appl. No. : 09/702,002
Filed : October 30, 2000

COPY

required by 37 C.F.R. § 1.63; 3) the processing fee set forth in 37 C.F.R. § 1.17(i); and 4) the written consent of the assignee, Endonetics, Inc.

Accordingly, it is requested that this Petition be GRANTED and the inventorship of the patent application be corrected.

Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.

If there are any questions regarding this petition, please contact the undersigned attorney at (949) 760-0404.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

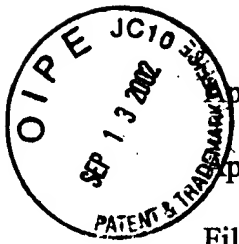
Dated: 12/11/01

By: James W. Hill

James W. Hill, M.D.
Registration No. 46,396
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660

H:\DOCS\JZH\JZH-2806.DOC/dmg
112701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : George M. Johnson, et al.

Group Art Unit 3736

Appl. No. : 09/702,002

Filed : October 30, 2000

For : METHOD AND DEVICE FOR
TREATING GASTROESOPHAGEAL
REFLUX DISEASE

Examiner : Unknown

STATEMENT BY PHILIP SIMPSON

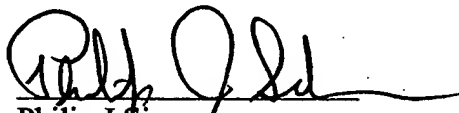
TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

I, Philip J. Simpson, am a United States citizen residing at 3185 Pioneer Place, Escondido, CA 92025. I should be a named inventor in U.S. Patent Application No. 09/702,002, filed on October 30, 2000. I was omitted as an inventor unintentionally, through no deceptive intention on my part.

I now desire to correct inventorship pursuant to 37 C.F.R. § 1.48(a). The correct inventors in this case are George M. Johnson, John T. Kilcoyne, Ross Tsukashima, Matthew T. Yurek, Scott Harris, and Philip J. Simpson.

I have assigned all my interest in this patent application and this invention to Endonetics, Inc., a California corporation located at 11100 Roselle Street, San Diego, CA 92121

Respectfully submitted,


Philip J. Simpson

COPY

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND DEVICE FOR TREATING GASTROESOPHAGEAL REFLUX DISEASE; the specification of which was filed on October 30, 2000 as Application Serial No. 09/702,002.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application

Application No.: 09/287,607

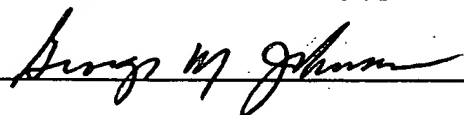
Filing Date: 04/07/99

Status: Issued

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **GEORGE M. JOHNSON**

Inventor's signature



Date

11/7/01

Residence: 1841 Derby Drive, Santa Ana, CA 92705

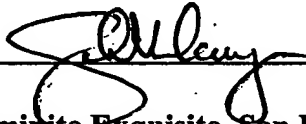
Citizenship: United States

Post Office Address: Same as above

COPY

Full name of second inventor: **JOHN T. KILCOYNE**

Inventor's signature



Date

11/06/01

Residence: **5265 Caminito Exquisito, San Diego, CA 92130**

Citizenship: **United States**

Post Office Address: **Same as above**

Full name of third inventor: **ROSS TSUKASHIMA**

Inventor's signature



Date

11/7/01

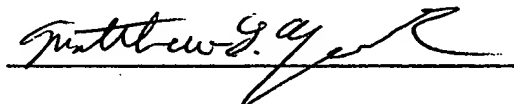
Residence: **11257 Willow Wood Drive, San Diego, CA 92127**

Citizenship: **United States**

Post Office Address: **Same as above**

Full name of fourth inventor: **MATTHEW T. YUREK**

Inventor's signature



Date

11/7/01

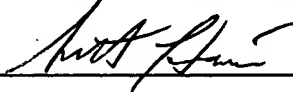
Residence: **12957 La Tortola, San Diego, CA 92129**

Citizenship: **United States**

Post Office Address: **Same as above**

Full name of fifth inventor: **SCOTT HARRIS**

Inventor's signature



Date

Nov 07, 2001

Residence: **3622 Oliphant Street, San Diego, CA 92016**

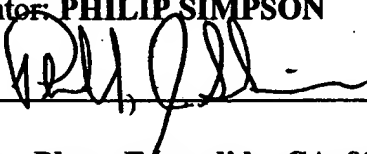
Citizenship: **United States**

Post Office Address: **Same as above**

COPY

Full name of sixth inventor: **PHILIP SIMPSON**

Inventor's signature



Date

11/07/01

Residence: **3185 Pioneer Place, Escondido, CA 92025**

Citizenship: **United States**

Post Office Address: **Same as above**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

COPY

COPY

Application No.: 09/702,002
Filing Date: October 30, 2000

PATENT
Client Code: ENDONET.023CP3
Page 1

ASSIGNMENT

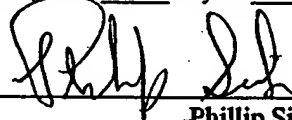
WHEREAS, I, ^{PHILIP} Phillip Simpson, a United States citizen, residing at 3185 Pioneer Place, Escondido, CA 92025, have invented certain new and useful improvements in a METHOD AND DEVICE FOR TREATING GASTROESOPHAGEAL REFLUX DISEASE for which an application for U.S. Letters Patent has been filed October 30, 2000, U.S. Patent Application No. 09/702,002;

AND WHEREAS, ENDONETICS, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 11100 Roselle Street, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, any and all right, title, and interest I do or may own throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of OCTOBER, 2001.



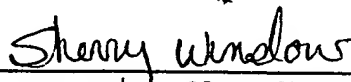
Phillip Simpson
PHILIP ^{FJS}

STATE OF California }
COUNTY OF San Diego } ss.

On October 30, 2001 before me, Sherry Winslow, personally appeared Phil Simpson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

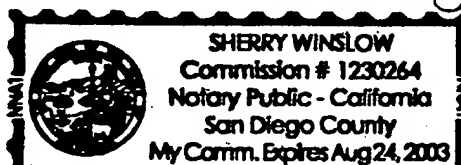
WITNESS my hand and official seal.

[SEAL]



Notary Signature

H:\DOCS\UZHJZH-2723.DOC\dmg 102601



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George M. Johnson, et al.

Group Art Unit 3736

Appl. No. : 09/702,002

Filed : October 30, 2000

For : METHOD AND DEVICE FOR
TREATING GASTROESOPHAGEAL
REFLUX DISEASE

Examiner : Unknown

COPY


WRITTEN CONSENT OF ASSIGNEE
IN SUPPORT OF PETITION FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. §1.48(a)

Endonetics, Inc., a California corporation located at 11100 Roselle Street, San Diego, CA 92121, is the owner and assignee of record of the above-identified patent application. A copy of the assignment reflecting the chain of title to Endonetics, Inc. is attached hereto.

The assignee is aware of the error with respect to inventorship of the above-identified patent application. The assignee hereby consents to the requested correction of inventorship which adds Philip J. Simpson as a joint inventor of the above-referenced patent.

Respectfully submitted,

ENDONETICS, INC.


John T. Kilcoyne
President & Chief Executive Officer

**RECORDATION FORM COVER SHEET
PATENTS ONLY****COPY**

TO THE ASSISTANT COMMISSIONER FOR PATENTS: Please record the attached original documents or copy thereof.

1. Name of conveying party

Philip J. Simpson

Additional name(s) of conveying party(ies) attached?
() Yes (X) No

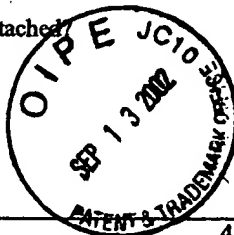
2. Name and address of receiving party:

Name: ENDONETICS, INC.

Internal Address:

Street Address: 11100 Roselle Street

City: San Diego State: CA ZIP: 92121

Additional name(s) of receiving party(ies) attached?
() Yes (X) No

3. Nature of conveyance:

- (X) Assignment
() Merger
() Security Agreement
() Change of Name
() Other:

Execution Date: October 30, 2001

4. Application number(s) or Patent number(s):

() Application(s) filed herewith Execution Date(s):

(X) Patent Application No.: 09/702,002
Filing Date: October 30, 2000() Patent No.:
Issue Date:

Additional numbers attached? () Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James W. Hill, M.D.
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

Internal Address: Sixteenth Floor

Street Address: 620 Newport Center Drive

City: Newport Beach State: CA ZIP: 92660

Attorney's Docket No.: ENDONET.023CP3

7. Total fee (37 CFR 1.21(h)): \$40.00

(X) Enclosed

(X) Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

James W. Hill, M.D.
Name of Person Signing

Signature

Date

46,396
Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Attn: Assignment Division
Crystal Gateway-4
1213 Jefferson Davis Highway, Suite 320
Arlington, VA 22202

Application No.: 09/702,002
Filing Date: October 30, 2000

COPY

PATENT
Client Code: ENDONET.023CP3
Page 1

ASSIGNMENT

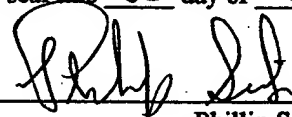
WHEREAS, I, ^{PHILIP FTS} Phillip Simpson, a United States citizen, residing at 3185 Pioneer Place, Escondido, CA 92025, have invented certain new and useful improvements in a METHOD AND DEVICE FOR TREATING GASTROESOPHAGEAL REFLUX DISEASE for which an application for U.S. Letters Patent has been filed October 30, 2000, U.S. Patent Application No. 09/702,002;

AND WHEREAS, ENDONETICS, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 11100 Roselle Street, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, any and all right, title, and interest I do or may own throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of OCTOBER, 2001.



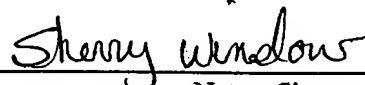
Phillip Simpson
PHILIP FTS

STATE OF California }
COUNTY OF San Diego } ss.

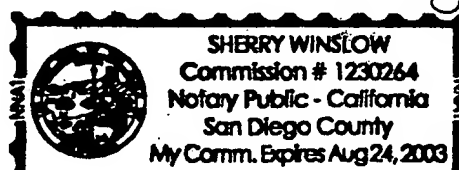
On October 30, 2001 before me, Sherry Winslow, personally appeared Phil Simpson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

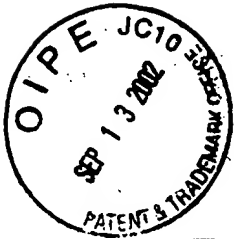
WITNESS my hand and official seal.

[SEAL]



Notary Signature





COPY

UTILITY/DESIGN PATENT

Date: 12-11-01

(miscellaneous)

Date of O.A.: _____

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty. Dkt. # Endonch.623CP3

A/N: 09/702,002 Filed: 10-30-00

Pat. # _____

Issued: _____

Atty: 32H

Exr: Unknown

Art Unit: 3736

Batch: _____

Re-Exam # _____

Title: method & device for treating

Applicant: G. Johnson et al

VERIFIED BY: Asst: Danni G.

Quality Control: _____

☒ Assignment & Recordation Fee 1285

☒ Recording fee 1400

☐

☐

☐

☐

☐

☐ Return Postcard

2001 DEC 14 PM 1:06

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UNITED STATES
PATENT AND
TRADEMARK OFFICE

Endonet. 023CP-12
GVH/JZH

COPY

FEBRUARY 05, 2002

PTAS

KNOBBE, MARTENS, OLSON & BEAR, LLP
JAMES W. HILL, M.D.
620 NEWPORT CENTER DRIVE
SIXTEENTH FLOOR
NEWPORT BEACH, CA 92660

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov



101918480A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/14/2001

REEL/FRAME: 012362/0085
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SIMPSON, PHILIP J.

DOC DATE: 10/30/2001

ASSIGNEE:

ENDONETICS, INC.
11100 ROSELLE STREET
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 097020C2
PATENT NUMBER:

FILING DATE: 10/30/2000
ISSUE DATE:

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

COPY

TO THE ASSISTANT COMMISSIONER FOR

documents or copy thereof.

1. Name of conveying party

Philip J. Simpson

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party:

Name: ENDONETICS, INC.

Internal Address:

Street Address: 11100 Roselle Street

City: San Diego State: CA ZIP: 92121

Additional name(s) of receiving party(ies) attached?

☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other:

Execution Date: October 30, 2001

4. Application number(s) or Patent number(s):

☐ Application(s) filed herewith Execution Date(s):

☒ Patent Application No.: 09/702,002
 Filing Date: October 30, 2000

☐ Patent No.:
 Issue Date:
Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James W. Hill, M.D.
 KNOBBE, MARTENS, OLSON & BEAR, LLP
 Customer No. 20,995

Internal Address: Sixteenth Floor

Street Address: 620 Newport Center Drive

City: Newport Beach State: CA ZIP: 92660

Attorney's Docket No.: ENDONET.023CP3

7. Total fee (37 CFR 1.21(h)):

\$40.00

☒ Enclosed
☒ Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

James W. Hill, M.D.

Name of Person Signing

Signature

Date

46,396

Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

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U.S. Patent and Trademark Office

Attn: Assignment Division

Crystal Gateway-4

1213 Jefferson Davis Highway, Suite 320

Arlington, VA 22202

COPY

Application No.: 09/702,002
Filing Date: October 30, 2000

PATENT
Client Code: ENDONET.023CP3
Page 1

ASSIGNMENT

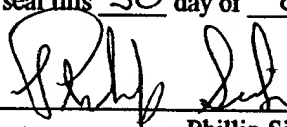
WHEREAS, I, ^{PHILIP FJS} Philip Simpson, a United States citizen, residing at 3185 Pioneer Place, Escondido, CA 92025, have invented certain new and useful improvements in a METHOD AND DEVICE FOR TREATING GASTROESOPHAGEAL REFLUX DISEASE for which an application for U.S. Letters Patent has been filed October 30, 2000, U.S. Patent Application No. 09/702,002;

AND WHEREAS, ENDONETICS, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 11100 Roselle Street, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, any and all right, title, and interest I do or may own throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 30 day of OCTOBER, 2001.



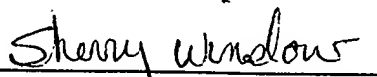
Philip Simpson
PHILIP FJS

STATE OF California }
COUNTY OF San Diego } ss.

On October 30, 2001 before me, Sherry Winslow, personally appeared Phil Simpson personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature

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